



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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November 23, 2007

Reply to the attention of Simone Rivers  
ALC File: ZZ-37611

Doug Beech  
Century 21 Moving Real Estate BC  
Box 236  
Merritt, BC V1K1B8

Dear Mr. Beech:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 608/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission will advise the Registrar of Land Titles that the property has been excluded from the ALR when it has received confirmation that the conditions of approval have been met. Please provide the Commission with photographs of the required fence as well as a sketch of the property showing the locations from which the photographs were taken.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Erik Karlsen, Chair

cc: City of Merritt (3354)

Enclosure: Minutes/Sketch Plan



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 7, 2007 at Quesnel City Hall, Quesnel, B.C.

|                 |                 |                       |
|-----------------|-----------------|-----------------------|
| <b>PRESENT:</b> | Grant Huffman   | Chair, Interior Panel |
|                 | Holly Campbell  | Commissioner          |
|                 | Gordon Gillette | Commissioner          |
|                 | Simone Rivers   | Staff                 |

## For Consideration

|              |   |
|--------------|---|
| Application: | # ZZ- 37611   |
| Applicant:   | John and Terina Price   |
| Agent:       | Century 21 Moving Real Estate BC  |
| Proposal:    | To exclude the 5 ha property from the ALR so that it can be rezoned and subdivided into residential lots.   |
| Legal:       | PID: 011-880-651<br>That part of District Lot 176, Kamloops Division of Yale District, EXCEPT Plans H18324 and 34260 which lies South and West of Plan H18324 |
| Location:    | 300 Lindley Creek Road, Merritt   |

## Site Inspection

A site inspection was conducted on November 5, 2007. Those in attendance were:

- Grant Huffman                      Chair, Interior Panel
- Holly Campbell                      Commissioner
- Gordon Gillette                      Commissioner
- Simone Rivers                      Staff
- Jack and Terina Price              Applicants
- Doug Beech                          Agent

The Commission noted that the subject property was scrubby and that it sloped from the house to the road. The property is located within the City of Merritt but is located at the city limits and is bordered by ALR within the Thompson-Nicola Regional District.

Mr. Beech confirmed that the staff report dated October 12, 2007 was received and no errors were identified.

## Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

## Discussion

### **Assessment of Agricultural Capability**

The Commission believed that the property had little agricultural capability due to topographic limitations. It is located adjacent to a steep mountainside given capability ratings of Class 6 TR. The property itself is part of a unit that is considered to be improvable to 80% Class 2T. However,

the Commission believed that the shape and location of the property means that it is unlikely that it would be substantially improved for agricultural use.

#### **Assessment of Agricultural Suitability**

The Commission assessed whether external factors such as encroaching non-farm development or other factors have caused, or will cause the land to become unsuitable for agriculture. The Commission did not believe that the property was suitable for agricultural use because of its size and location between a road and a mountain.

#### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission was concerned about the impact of the exclusion and subsequent development of this property would have on the surrounding agricultural properties. The Commission noted that the property is separated from most of the developed agricultural areas by a road. It further noted that the land to the south and west of the property is mountainside that is not in the ALR. The Commission believes the proposal would have some minimal impact on existing or potential agricultural use of surrounding lands but it believes that this impact could be mitigated by the construction of a fence around the perimeter of the property.

#### **Conclusions**

1. That the land under application has limited agricultural capability.
2. That the land under application is not suitable for agricultural use.
3. That the proposal will not impact agriculture.

#### **IT WAS**

**MOVED BY:** Commissioner Gillette  
**SECONDED BY:** Commissioner Huffman

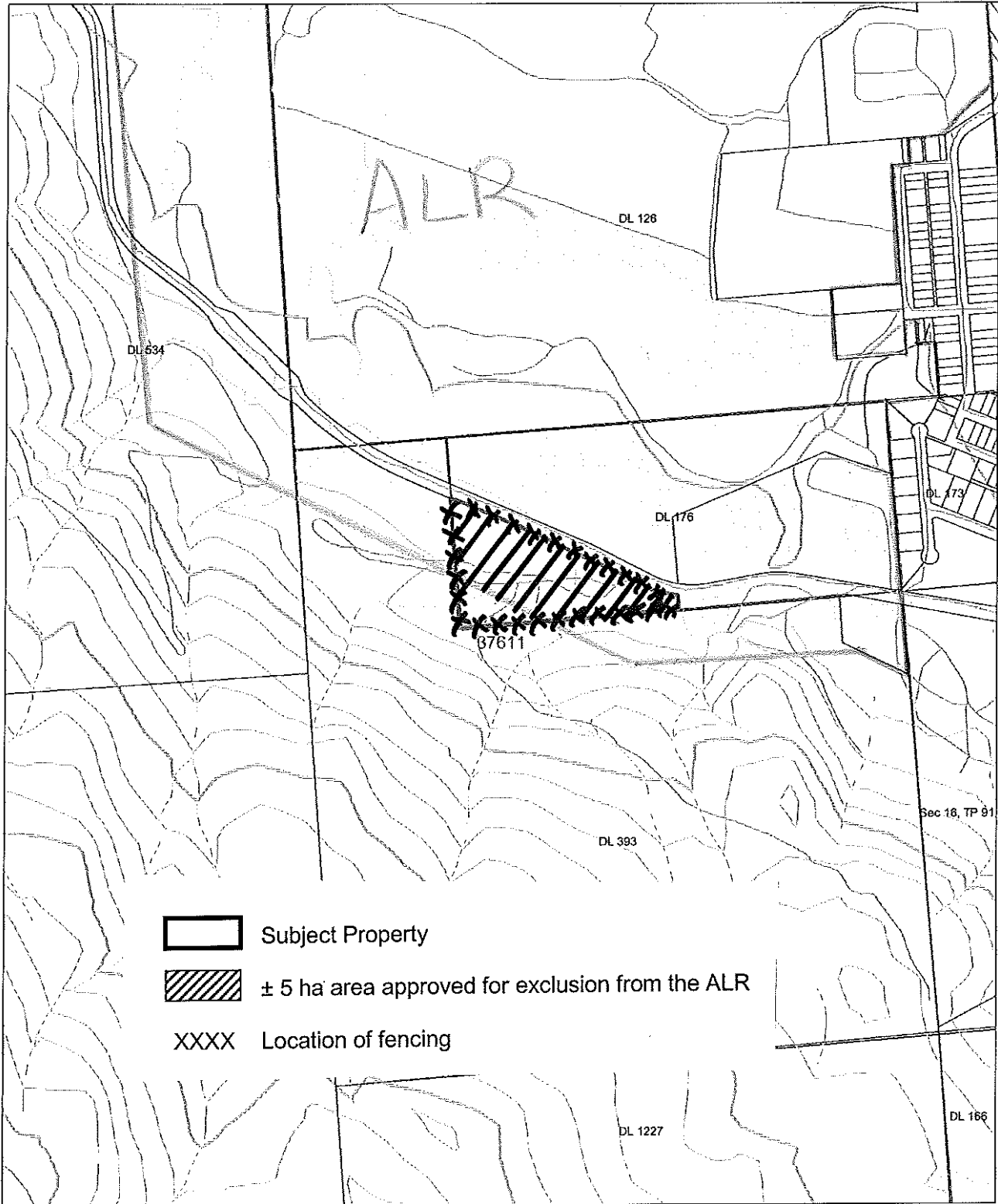
THAT the application be allowed.




AND THAT the approval is subject to the construction of a fence for the purpose of mitigating the impact of future development on surrounding agricultural lands.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

#### **CARRIED**

**Resolution # 608/2007**



-  Subject Property
-  ± 5 ha area approved for exclusion from the ALR
-  Location of fencing

Scale: 1: 10,000  
BCGS Mapsheet(s): 92I.016

